

ESTTA Tracking number: **ESTTA604255**

Filing date: **05/14/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---|
| Proceeding | 91212922 |
| Party | Defendant InnoPath Software, Inc. |
| Correspondence Address | MAREN C PERRY KING & SPALDING LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES nytrademarks@kslaw.com, ebrown@kslaw.com, kmccarthy@kslaw.com, mperry@kslaw.com |
| Submission | Stipulated/Consent Motion to Extend |
| Filer's Name | Emily B. Brown |
| Filer's e-mail | ebrown@kslaw.com, kmccarthy@kslaw.com, mperry@kslaw.com, nytrade- marks@kslaw.com |
| Signature | /Emily B. Brown/ |
| Date | 05/14/2014 |
| Attachments | Motion to Extend with Consent (MOBILEMD).pdf(10278 bytes) |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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| | | |
|---------------------------|---|--------------|
| SIEMENS MEDICAL SOLUTIONS |) | |
| USA, INC. |) | |
| |) | |
| Opposer, |) | OPPOSITION |
| |) | |
| v. |) | NO. 91212922 |
| |) | |
| INNOPATH SOFTWARE, INC., |) | |
| |) | |
| |) | |
| Applicant. |) | |

APPLICANT’S MOTION TO EXTEND DATES WITH CONSENT

Applicant InnoPath Software, Inc. (“InnoPath”) hereby moves for a thirty (30) day extension of the opening of discovery and all other remaining discovery and trial dates in this proceeding.

Under the requested extension, the new deadlines would be as follows:

| | |
|---|------------|
| Discovery Opens | 6/18/2014 |
| Initial Disclosures Due | 7/18/2014 |
| Expert Disclosures Due | 11/17/2014 |
| Discovery Closes | 12/17/2014 |
| Plaintiff’s Pretrial Disclosures Due | 1/31/2015 |
| Plaintiff’s 30-day Trial Period Ends | 3/16/2015 |
| Defendant’s Pretrial Disclosures Due | 4/1/2015 |
| Defendant’s 30-day Trial Period Ends | 5/16/2015 |
| Plaintiff’s Rebuttal Disclosures Due | 5/29/2015 |
| Plaintiff’s 15-day Rebuttal Period Ends | 6/28/2015 |

InnoPath submits that good cause exists for the requested extension and that the extension is needed to allow the parties time to continue their settlement discussions in an effort to resolve this matter.

By email dated May 12, 2014, Opposer’s attorney, Jill Anderfuren, agreed to this

motion to extend.

WHEREFORE, InnoPath respectfully submits that good cause has been shown and respectfully requests that the Board grant the request for an extension of time as set forth above.

Dated: May 14, 2014

By: /Emily B. Brown/
Kathleen E. McCarthy
Maren C. Perry
Emily B. Brown

KING & SPALDING LLP
1185 Avenue of the Americas
New York, NY 10036
Attorneys for Applicant

CERTIFICATE OF SERVICE

This is to certify, in accordance with Rule 2.101(b) of the Trademark Rules of Practice, that I have this day served the foregoing APPLICANT'S MOTION TO EXTEND DATES WITH CONSENT on the Opposer, by causing a true and correct copy thereof to be emailed, addressed to the attorney of record for the Opposer as follows:

Jill Anderfuren
Marshall, Gerstein & Borun LLP
233 S. Wacker Drive, Suite 6300
Chicago, IL 60606-6357
United States
janderfuren@marshallip.com

May 14, 2014

/Emily B. Brown/
Emily B. Brown